

TERMS OF REFERENCE

No	Name of project
2010/07	Comparison Programme on the implementation and enforcement of Air Quality standards in relation to industrial air emissions (PIAQ) (<i>Comparison Programme Implementation Air Quality standards and industrial air emissions</i>)

1. Scope

<p>1.1. Background</p>	<p>General context</p> <p>Air pollution has long been recognised as posing a significant risk to human health and the environment. In 1996 the Air Quality Framework Directive was adopted which established a Community framework for the assessment and management of ambient air quality in the EU. The Framework Directive also provided a list of priority pollutants for which air quality objectives would be established in daughter legislation. There have subsequently been four daughter directives in respect of particular pollutants and a Council Decision on exchange of air quality monitoring information.</p> <ul style="list-style-type: none"> • The Council Directive 96/62/EC on ambient air quality assessment and management ("Framework Directive"); • Council Directive 1999/30/EC relating to limit values for sulphur dioxide, nitrogen dioxide and oxides of nitrogen, particulate matter and lead in ambient air ("Second Daughter Directive"); • Directive 2000/69/EC of the European Parliament and of the Council relating to limit values for benzene and carbon monoxide in ambient air ("Second Daughter Directive"); • Directive 2002/3/EC of the European Parliament and of the Council relating to ozone in ambient air ("Third Daughter Directive"); • Council Decision 97/101/EC establishing a reciprocal exchange of information and data from networks and individual stations measuring ambient air pollution within the member States, ("Exchange of Information Decision"); <p>In 2005 the EU directive on ambient air quality and cleaner air for Europe was proposed and approved later (2008/50/EC).</p> <p>Specific situation</p> <p>The air quality directive and its daughter directives have been implemented in EU member states in the past years. In 2007, an earlier IMPEL project (with Austria as lead partner) made it possible to exchange expertise in licensing of installations in ambient air polluted zones, based on an inquiry in some member states. A limited scope study in 2009 showed that directives have been implemented in practice in different ways in different IMPEL member states. Contacts between experts in these countries confirmed differences, leading to different air quality management activities with respect to permitting and enforcement of sectors of industries, traffic and shipping. However, not much is known about these different activities and their effects on the air quality itself. We do know, of course, that ambient air quality is effected also by traffic and shipping. This project however is limited to industrial emissions, bearing in mind the core focus of IMPEL and limited time and resoures available.</p> <p>In general it is very difficult to relate the emissions of one single installation or site to the ambient air quality. Local air quality is often under pressure in areas with concentrations of large industry. This brings up the question whether an additional company in such areas will have an additional significant effect on the local air quality or on the national emission ceilings. And also what permitting, control or enforcement strategies would lead to the best air quality.</p>
<p>1.2. Link to MAWP and IMPEL's role and scope</p>	<p>Strategic Goal I – Capacity building</p> <p>Strategic Goal III – Development of good practices</p> <p>Strategic Goal VII – International enforcement collaboration</p>

<p>1.3. Objective (s)</p>	<p>Main objective IMPEL aims at improvement of implementation and enforcement of environmental legislation by Member States. Within this project Member States will intensify exchange of information and will continue to develop their expertise and good practices of implementation (control and enforcement) of air quality directives in practice. The main objective is: <i>Identify best practices in the application of (implementation, control and enforcement) EU Air Quality Directives in relation to industrial air emissions.</i></p> <p>Specific objectives</p> <ul style="list-style-type: none"> • Phase 1: Exchange of information and experiences on key regulatory issues • Phase 2: Identify best practices in the inspection and enforcement of industries, performed by the local, regional and national level, improving environmental effects in IMPEL member countries. <p>Limited scope Emissions from industry, traffic and shipping do contribute to the air quality different in the EU countries. Within this PIAQ project we will focus on <i>industrial sources in countries with larger zones of industrial activity</i></p> <p>Limited amount of participating countries The project focuses on the application of Air Quality standards in concentrated industrial zones. It is expected that in particular authorities of IMPEL Member countries with these zones will be interested to participate in the project.</p>
<p>1.4. Definition</p>	<p>The objectives will be achieved by:</p> <ol style="list-style-type: none"> 1. Exchange of information on implementation of the Air quality directives related to industrial air emissions by means of an questionnaire and a workshop 2. Identify best practices in control and enforcement and its effects on emissions by main sectors of industry. <i>Note:</i> Emissions of traffic and shipping are not taken into account in this project 3. Assess the effectivity of the different practices, plans and programmes on the ambient air quality 4. Identify the common EU best practices 5. Making available these best practices to all IMPEL member states 6. Drafting of project report containing findings, conclusions and recommendations <p>SEE project implementation plan</p>
<p>1.5. Product(s)</p>	<p>Product 1: A report gathering best practices from IMPEL Member States on the application of of air quality standards in relation to industrial air emissions (how do air quality standards influence permitting, inspection and enforcement of industrial installations) , on the basis of exchange of knowledge and information of partipating IMPEL members</p> <p>Product 2: Recommendations for IMPEL Member States on using these best practices.</p>

2. Structure of the project

<p>2.1. Participants</p>	<ol style="list-style-type: none"> 1) International Core Team: 3 experts from 3 IMPEL member countries (Netherlands – project-lead, Czech Republic – co-project-lead, third country (to be confirmed)) 2) Workshop participants: max 30 participants from IMPEL member countries and European Commission, including core team members. Financial cost reimbursement for a maximum of max 15 participants to the workshops <i>NB: Participants to the workshops are environmental authorities (permitters, inspectors and/or enforcers), who are involved in implementation of the air quality directives in relation to industrial air emissions, and who participated in the inventory within this project</i>
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2.2. Project team	Lead country: NL, DCMR Environmental Protection Agency Rijnmond, The following Project team members have been invited: <ul style="list-style-type: none"> - Koen de Kruif (NL), DCMR, project leader, koen.dekruif@dcmr.nl - Jana Sestakova (CR), Czech Ministry of environmental protection, co-project leader, jana.sestakova@mzp.cz - Sylke Davison (NL), DCMR department for Air quality, sylke.davison@dcmr.nl - Open, to be confirmed
2.3. Manager Executor	Koen de Kruif, DCMR Environmental Protection Agency, The Netherlands
2.4. Reporting arrangements	Start Project phase 1: jan. 2010 Progress reports to Cluster 1 (autumn 2010) and General Assembly (autumn 2010) When approved: Start Project phase 2: jan 2011 Draft final reports to Cluster 1 and General Assembly (autumn 2011)
2.5 Dissemination of results/main target groups	The report will be put on the IMPEL website and disseminated to the authorities in the Member States. The report will also be submitted to the EU institutions.

3. Resources required

3.1 Project costs	TOTAL € 72.100,00 2010: € 39.900,00 2011: € 32.200,00
3.2. Fin. from IMPEL budget.	€ 52.100,00
3.3. Fin. from MS (NL)	€ 10.000,00 per year € 20.000,00 in total
3.4. Human from IMPEL Members Phase 1	Core team and workshops 36 days (excluding input consultant)
3.4. Human from IMPEL Members Phase 2	Core team and workshops 36 days (excluding input consultant)
3.5 Human from COM	Participation to the Project workshops by one COM-expert, 2 days each workshop: total 4 days

4. Quality review mechanisms

Quality review by Core Team and Cluster 1 <ul style="list-style-type: none"> - Discussion in Cluster 1 on progress report. General Assembly-meeting will be informed - Discussion in Cluster 1 on final draft report. General Assembly-meeting will discuss. - Approval by Impel-General Assembly.
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5. Legal base

5.1. Directive/Regulation/ Decision	- Air Quality framework directives - Recommendation on RMCEI Other relevant material:
5.2. Article and description	
5.3 Link to the 6th EAP	More effective implementation and enforcement of environmental legislation is one of the priorities of the 6 th EAP.

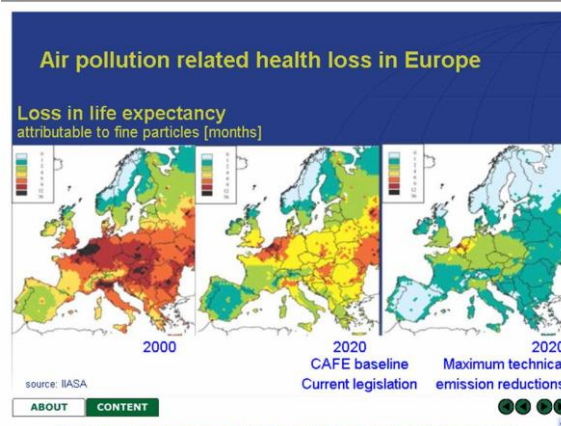
6. Project planning

6.1. Approval	The ToR is presented for discussion at the Cluster 1 meeting (september 2009)																																																																																																																																																																								
(6.2. Fin. Contributions) 3 core team members, of which 2 travelling; 15 workshop participants In total 2 workshops (1 in 2010, and 2011)	<table border="1"> <thead> <tr> <th colspan="2">Phase 1</th> <th colspan="2">Information exchange</th> <th></th> <th></th> </tr> <tr> <th colspan="2">Core/PL team, 1 meetings</th> <th>units</th> <th>costs</th> <th>€</th> <th>20.650,00</th> </tr> </thead> <tbody> <tr> <td>accommodation</td> <td>nights</td> <td>4</td> <td>€ 150,00</td> <td>€</td> <td>1.800,00</td> </tr> <tr> <td>travel</td> <td>flights</td> <td>2</td> <td>€ 500,00</td> <td>€</td> <td>3.000,00</td> </tr> <tr> <td>per diem</td> <td>days</td> <td>4</td> <td>€ 50,00</td> <td>€</td> <td>600,00</td> </tr> <tr> <td>Additional costs</td> <td>meets</td> <td>1</td> <td>€ 250,00</td> <td>€</td> <td>250,00</td> </tr> <tr> <td>consultant</td> <td>tot</td> <td></td> <td></td> <td>€</td> <td>15.000,00</td> </tr> <tr> <td colspan="2">Workshops, 1 meeting</td> <td></td> <td></td> <td>€</td> <td>19.250,00</td> </tr> <tr> <td>accommodation</td> <td>nights</td> <td>2</td> <td>€ 150,00</td> <td>€</td> <td>6.000,00</td> </tr> <tr> <td>travel</td> <td>flights</td> <td>1</td> <td>€ 500,00</td> <td>€</td> <td>10.000,00</td> </tr> <tr> <td>per diem</td> <td>days</td> <td>2</td> <td>€ 50,00</td> <td>€</td> <td>2.000,00</td> </tr> <tr> <td>Additional costs</td> <td>meets</td> <td>1</td> <td>€ 1.250,00</td> <td>€</td> <td>1.250,00</td> </tr> <tr> <td colspan="2">Total estimated costs :</td> <td></td> <td></td> <td>€</td> <td>39.900,00</td> </tr> <tr> <td colspan="2"></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <th colspan="2">Phase 2</th> <th colspan="2">Best Practices</th> <th></th> <th></th> </tr> <tr> <th colspan="2">Core team, 1 meeting</th> <th>units</th> <th>costs</th> <th>€</th> <th>12.950,00</th> </tr> <tr> <td>accommodation</td> <td>nights</td> <td>2</td> <td>€ 150,00</td> <td>€</td> <td>900,00</td> </tr> <tr> <td>travel</td> <td>flights</td> <td>1</td> <td>€ 500,00</td> <td>€</td> <td>1.500,00</td> </tr> <tr> <td>per diem</td> <td>days</td> <td>2</td> <td>€ 50,00</td> <td>€</td> <td>300,00</td> </tr> <tr> <td>Additional costs</td> <td>meets</td> <td>1</td> <td>€ 250,00</td> <td>€</td> <td>250,00</td> </tr> <tr> <td>consultant</td> <td>tot</td> <td></td> <td></td> <td>€</td> <td>10.000,00</td> </tr> <tr> <td colspan="2">Workshops, 1 meetings</td> <td></td> <td></td> <td>€</td> <td>19.250,00</td> </tr> <tr> <td>accommodation</td> <td>nights</td> <td>2</td> <td>€ 150,00</td> <td>€</td> <td>6.000,00</td> </tr> <tr> <td>travel</td> <td>flights</td> <td>1</td> <td>€ 500,00</td> <td>€</td> <td>10.000,00</td> </tr> <tr> <td>per diem</td> <td>days</td> <td>2</td> <td>€ 50,00</td> <td>€</td> <td>2.000,00</td> </tr> <tr> <td>Additional costs</td> <td>meets</td> <td>1</td> <td>€ 1.250,00</td> <td>€</td> <td>1.250,00</td> </tr> <tr> <td colspan="2">Total estimated costs :</td> <td></td> <td></td> <td>€</td> <td>32.200,00</td> </tr> <tr> <td colspan="2"></td> <td></td> <td></td> <td>€</td> <td>72.100,00</td> </tr> </tbody> </table>	Phase 1		Information exchange				Core/PL team, 1 meetings		units	costs	€	20.650,00	accommodation	nights	4	€ 150,00	€	1.800,00	travel	flights	2	€ 500,00	€	3.000,00	per diem	days	4	€ 50,00	€	600,00	Additional costs	meets	1	€ 250,00	€	250,00	consultant	tot			€	15.000,00	Workshops, 1 meeting				€	19.250,00	accommodation	nights	2	€ 150,00	€	6.000,00	travel	flights	1	€ 500,00	€	10.000,00	per diem	days	2	€ 50,00	€	2.000,00	Additional costs	meets	1	€ 1.250,00	€	1.250,00	Total estimated costs :				€	39.900,00							Phase 2		Best Practices				Core team, 1 meeting		units	costs	€	12.950,00	accommodation	nights	2	€ 150,00	€	900,00	travel	flights	1	€ 500,00	€	1.500,00	per diem	days	2	€ 50,00	€	300,00	Additional costs	meets	1	€ 250,00	€	250,00	consultant	tot			€	10.000,00	Workshops, 1 meetings				€	19.250,00	accommodation	nights	2	€ 150,00	€	6.000,00	travel	flights	1	€ 500,00	€	10.000,00	per diem	days	2	€ 50,00	€	2.000,00	Additional costs	meets	1	€ 1.250,00	€	1.250,00	Total estimated costs :				€	32.200,00					€	72.100,00
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	4. September 2010: third (virtual) meeting/first progress report to Cluster and General Assembly																																																																																																																																																																								
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6.5 Product	Final Report to Cluster 1 and General Assembly in autumn 2011																																																																																																																																																																								
6.6 Adoption	By IMPEL-General Assembly, October 2011																																																																																																																																																																								

Project Implementation plan

Comparison Programme on implementation and enforcement of Air Quality Standards in relation to industrial air emissions

Many contacts between experts in EU countries identified large differences in implementation of Air Quality standards. Some countries has to be more aware of the air quality, since the air quality is already effecting environment and health quality (see graph). In previous projects some of these differences were already compared. EU countries however did not use best practices from each other to improve the effect of the set activities and measures. This PIAQ project will compare the different activities and identify best practices. It will lead to a report on the best practices on implementation of air quality standards and enforcement, and to recommendations for IMPEL Member States on using these best practices.



There are three main sources of emissions to air: industry, shipping and traffic. This project limits the scope by focusing on **industrial sources**.

Specific project objectives are:

1. Exchange of information and experiences on key regulatory issues
2. Identify best practices in the present work on inspection and enforcement at local, regional and national level, improving environmental effects in IMPEL member countries and recommend these to all EU countries

The planned activities will be divided in two phases. **Phase 1** covers the information exchange, and will be finished in 2010. **Phase 2** will identify the bestpractices and recommendations to all IMPEL countries. Phase 1 and 2 together will deliver the project products. The start of Phase 2 will be done only when thought relevant after phase 1.

Phase 1: exchange of information

Jan. 2010	Start of project
1. Febr. 2010	First meeting of Core Team (2 days, DCMR/Schiedam, the Netherlands)
	<ul style="list-style-type: none"> - Kick-off - Exchange of information on implementation of the Air quality directives in the core team member countries - Preparing ToR for consultant/defining tender procedure - Defining the questionnaire; this questionnaire will be based on preliminary work in Austria and the Netherlands. - Informing IMPEL contact persons about this new questionnaire - Preparation of the planned first workshop
2. April 2010	Second (Virtual) meeting of core team (0,5 days)
	<ul style="list-style-type: none"> - Finishing tender/Selection of the assisting consultant - Preparing the questionnaire
3. June 2010	First workshop (2 days, location to be agreed)
	<ul style="list-style-type: none"> - Sharing good practices in the participating countries - analysing the preliminary results of the questionnaire: completeness, missing information, quality of information - preparing list of all practices in all countries; participating countries will have the task to identify from this list the practices that will or may work in their own countries; identification of the most effective practices per country
4. Sep. 2010	Third (Virtual) meeting of the core team – progress report
	<ul style="list-style-type: none"> - compare the best practices in implementation and its effects on emissions by main sectors of industry. - Assessing the information

	<ul style="list-style-type: none"> - Preparing a first progress report to the autumn cluster 1 meeting and General Assembly - Prepare the follow up, phase 2 of the project
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Phase 2: identify best practices

5. Febr 2011	Fourth (virtual core team meeting – preparing second workshop
	<ul style="list-style-type: none"> - Start up of Phase 2 of the project - Preparing second workshop
6. March 2011	Second workshop (2 days, location to be agreed)
	<ul style="list-style-type: none"> - compare the best practices in implementation and its effects on emissions by main sectors of industry. - Assess the effectivity of the different practices, plans and programmes per country - Identify and discuss the common EU best practices - Define recommendations to IMPEL member states on the EU best practices - Preparing a second progress report for the autumn Cluster 1 meeting
7. April 2011	Last meeting of the core team (2 days, DCMR/Schiedam, the Netherlands
	<ul style="list-style-type: none"> - Making available the best practices to all IMPEL member states - Drafting of a project report containing findings, conclusions and recommendations to the IMPEL General Assembly meeting - Evaluation of the project - Finishing the formalities of the project phase 2.
9. July 2011	Virtual meeting of the Project leaders
	<ul style="list-style-type: none"> - In June 2011 the final report will be prepared, - The report will be sent out to the IMPEL secretariate for discussion in the Cluster 1 and IMPEL General Assembly - The report will be presented to Cluster 1 and IMPEL General Assembly